



September 16, 2022

Hon. Katherine H. Parker
U.S. District Court, Southern District of New York
500 Pearl Street, Courtroom 17-D
New York, New York 10007

Via ECF

Re: *Delgado v. Donald J. Trump for President, Inc., et al.*, No. 19 Civ. 11764 (AT) (KHP)

Dear Judge Parker:

This Firm represents the above referenced Plaintiff, A.J. Delgado. I write pursuant to your order on the record at the Parties' August 16, 2022 case management conference, asking that the Parties provide the Court with a status update by today.

The Parties have exchanged written discovery demands in accordance with their so-ordered case management plan, and anticipate responding to the same in conformity with the Federal Rules of Civil Procedure. As of today, the Parties have also discussed the contours of an ESI discovery plan and proposed order in accordance with Your Honor's model, as well as a stipulation and proposed protective order, again per Your Honor's model. However the Parties are still weighing several ESI and confidentiality concerns they have, and a few potential adjustments to the models. Due to counsels' busy schedules, and the need to confer with our clients, we did not manage to resolve these outstanding issues by the close of business today. We are, however, engaged in a cordial and professional dialogue and hope to conclude our discussions on Monday.

The Parties accordingly respectfully request 1-2 additional business days to resolve their respective concerns regarding an ESI discovery plan and a protective stipulation and order. If there are no remaining unresolved issues, we will submit our proposed ESI protocol and protective order then; otherwise, we will write the Court regarding any unresolved issues and seek its guidance.

We appreciate the Court's consideration.

Respectfully submitted,

DEREK SMITH LAW GROUP, PLLC

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